

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

ANDREW I. KINCAID, and TALIAFERRO D.
THOMPSON,

Defendants.

8:23CR31

ORDER

A telephone status conference was held today. During the telephone conference, defense counsel notified the court that the Defendants request more time to allow the government to review the proposed adjustments they have requested to the plea agreement and then have time to discuss the government's response with their clients. Defense counsel moved to continue the telephone status conference. The government did not object. Based on the comments of counsel, the court finds good cause has been shown and the oral motion to continue should be granted. Accordingly,

IT IS ORDERED:

- 1) A telephonic status conference with counsel will be held before the undersigned magistrate judge at 11:00 a.m. on December 8, 2023 to discuss setting any change of plea hearing or the date of the jury trial. Counsel will use Restricted Order [50] for conference connection instructions.
- 2) In accordance with 18 U.S.C. § 3161(h)(7)(A), the Court finds that the ends of justice will be served by granting this motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between today's date and on December 8, 2023, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant this motion would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and the novelty and complexity of the case. The failure to grant this motion might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 8th day of November, 2023.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge